

Jul 15, 2024

s/ Mariah Kauder

Deputy Clerk, U.S. District Court
Eastern District of Wisconsin

UNITED STATES DISTRICT COURT

for the

Eastern District of Wisconsin

United States of America

v.

Lashawn DAVIS
(DOB: xx/xx/2000)

Case No. 24-M-442 (SCD)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 18, 2022 and August 27, 2023 in the county of Milwaukee in the
Eastern District of Wisconsin, the defendant(s) violated:

Code Section

Offense Description

21 U.S.C. §§ 841(a)(1); 841(b)(1)
(A) and (B); 846; & 18 U.S.C. § 2

Count One- On or about April 18, 2022, attempt to possess with intent to distribute 500 grams or more of a mixture and substance containing methamphetamine, all in violation of 21 U.S.C. §§ 841(a)(1); 841(b)(1)(A); 846; & 18 U.S.C. § 2.

Count Two- On or about August 27, 2023, distribution and possess with intent to distribute 40 grams or more of a mixture and substance containing fentanyl, all in violation of 21 U.S.C. §§ 841(a)(1); 841(b)(1)(B); 846; & 18 U.S.C. § 2.

This criminal complaint is based on these facts:

See Attached Affidavit.

☒ Continued on the attached sheet.

Complainant's signature

Shane Hoffmann, FBI SA

Printed name and title

Sworn via telephone; transmitted via email
pursuant to Fed. R. Crim. 4.1Date: 7-15-24

Judge's signature

City and state: Milwaukee, Wisconsin

Honorable Stephen C. Dries, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT & ARREST WARRANT

I, Shane Hoffmann, being first duly sworn, state that:

Background

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) and have been since September 2015. I am currently assigned to the Milwaukee Division – Madison Resident Agency. Since becoming a Special Agent, I have received specialized training in conducting criminal investigations, and my responsibilities include conducting investigations of alleged criminal violations of federal statutes and laws including distribution and possession with intent to distribute controlled substances and conspiracy to do so (Title 21, United States Code Sections 841 and 846) as well as federal firearms laws (Title 18, United States Code, §§ 922 and 924), and money laundering laws (Title 18, United States Code, §§ 1956 and 1957).

2. I have been trained in the identification and characteristics of a wide variety of controlled substances and have been involved in the execution of numerous drug search warrants since 2015. My training and experience include the investigation of controlled substance cases, more specifically the methods used by traffickers to import and distribute narcotics, interdiction, smuggling methods, and the concealment and laundering of proceeds from illicit drug trafficking activities. I am also familiar with the use of cell phones and other technical data to commit controlled substance offenses.

3. The United States, including the FBI, is conducting a criminal investigation of Lashawn DAVIS, Co-Actor 1, and others known and unknown, regarding possible violations of, among other crimes, 21 U.S.C. §§ 841, (possession with intent to distribute and distribution of a controlled substance), 846 (attempt and conspiracy) and 18 U.S.C. § 2 (induce, counsel and aid

and abet criminal activity). As part of that investigation, I have determined that DAVIS and Co-Actor 1 have combined on two separate occasions to possess with intent to distribute controlled substances, including approximately 10 pounds of methamphetamine in April 2022 and 240 grams of fentanyl in August 2023.

Basis for Information in Affidavit

4. The information contained in this affidavit is based upon my personal knowledge and investigation, and information supplied to me by other law enforcement officers including Wisconsin State Patrol Trooper Digre, Officers with the Whitestown IN Police Department, all of whom I believe to be truthful and reliable. Based on my investigation as detailed below, occurring in the Eastern District of Wisconsin and elsewhere, I have probable cause to believe the following regarding Lashawn DAVIS M/B DOB 05/07/2000.

Facts Establishing Probable Cause

5. Based upon my investigation, I believe there is probable cause that on at least two occasions, DAVIS combined with Co-Actor 1 and others to transport and possess with the intention of distributing controlled substances. The first occasion started by at least April 17, 2022 and continued to at least April 18, 2022, and involved DAVIS, Co-Actor 1, and Adult Male 1 combining to obtain and transport 500 grams or more of a mixture and substance containing methamphetamine for distribution in the State and Eastern District of Wisconsin, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A), 846 and 18 U.S.C. § 2. The second occasion started by at least August 26, 2023, and continued to August 27, 2023, and involved DAVIS and Co-Actor 1 combining to transport and possess with the intention of distribution an amount of fentanyl

beginning in the State and Eastern District of Wisconsin and continuing into the Western District of Wisconsin, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A) and 18 U.S.C. § 2.

A. Methamphetamine Offense

6. On April 18, 2022, at approximately 11:40 pm., Whitestown Police Department Officer Whitney Lushin observed that Adult Male 1 was the driver and sole occupant of a Dodge Challenger car (Challenger) traveling at approximately 64-mph in a 55-mph construction zone on Interstate 65 in the City of Lebanon and State of Indiana. After stopping the Challenger, Officer Lushin identified Adult Male 1, of Chicago Illinois, as the driver and observed the odor of marijuana coming from inside the car. Officer Lushin also observed a toolkit in the rear passenger seat. Adult Male 1 advised the Challenger was possessed by his cousin and Officer Lushin identified it as a Hertz Rental car. Adult Male 1 advised that he traveled to Atlanta, GA to see his cousin, stayed one day, and then was given the Challenger to drive back to Chicago.

7. Officer Lushin searched the Challenger and found a Philips head screwdriver under the front passenger seat that appeared to match the toolkit observed on the back seat. Officer Lushin knows that screwdrivers as found in this case can be used to manipulate or dismantle parts of the car to hide controlled substances. Upon further searching the Challenger, Officer Lushin observed a slit of the steering column had been manipulated and, upon looking inside, saw a vacuum sealed package believed to contain a controlled substance. Officer Lushin opened the glove compartment and observed a panel containing screws that had tool markings consistent with them being recently manipulated for purposes of hiding controlled substances. Officer Lushin also looked in the passenger side vent and observed the edge of another vacuum sealed package. At

that point, Officer Lushin stopped further searching and Whitestown Police Officer Sellers obtained a search warrant for the Challenger.

8. After the search warrant was obtained, I know that officers continued their search of the Challenger, including removal of the glove compartment panel. Upon doing so, officers recovered two vacuum sealed plastic bags containing a white crystal-like substance. Additional packages of white substance were located behind the car radio. In total, ten vacuum sealed bags, weighing approximately 10.76 pounds, each containing a white substance were seized and removed from the car. The ten baggies were sent to the DEA North Central Laboratory where it was confirmed that the total approximate weight of the substance was 4.44 kilograms, and a representative sample of the white substance was determined to be methamphetamine with an 86% purity. Given the circumstances set forth in this affidavit coupled with the quantity of controlled substance, I believe the methamphetamine was possessed with the intention to distribute to Co-Actor 1 in the Eastern District of Wisconsin.

9. My further investigation revealed that Co-Actor 1 rented the above-described Challenger from a Hertz Rental car store on April 17, 2022, at approximately 11:44 am, that was located at the Atlanta International Airport, Georgia. Location data pertaining to the phone associated with Co-Actor 1 confirmed he was at the Atlanta airport at the approximate time the Challenger was rented.

10. My further investigation confirmed that location data for DAVIS' cell phone establish that he was in Atlanta at that same approximate time. More specifically, I know from searching two cell phones seized from DAVIS in August 2023 that he used both an iPhone 14 Pro Max and an iPhone 11. The iPhone 14 contained location information that established DAVIS was

in the Milwaukee, Wisconsin area on April 14, 2022. The location information then shows that DAVIS possessed the phone on April 16, 2022, at approximately 2:33 p.m. when he was located in the Glendale Junction area of Kentucky. I also located on that phone two movie files showing an individual, who I believe to be DAVIS, holding a Springfield Arms XDM 10 mm handgun with serial number BA534754. Those movie files appear to have been created on April 16, 2022, at 2:55 pm in the Glendale Junction, Kentucky area. One minute later, Davis sent a Facebook message that he has “10mm x onna market too.” Approximately one hour later, DAVIS created two pictures of the XDM 10 mm handgun. While possessing the handgun, I believe DAVIS is in the driver’s seat of a Dodge Ram TRX truck. I know that a 2021 Dodge Ram TRX truck was reported stolen from the Louisville (Kentucky) airport sometime between April 14, 2022, and April 17, 2022. The owner of the truck advised that his Springfield Arms XDM 10 mm handgun with serial number BA534754 was located inside the truck. DAVIS’ location data from the two cell phones establish that on April 17, 2022, DAVIS was located just north of the Hartsfield-Jackson Airport in Atlanta. DAVIS is next located on April 18, 2022, at 10:48 am in the area of Peachtree Road, Atlanta. Finally, DAVIS is located on April 19, 2022, at approximately 12:58 a.m. in the area of Highway 80 in Gary, Indiana. I believe this location information established that DAVIS was in Kentucky at the time the Dodge Ram TRX was stolen and likely in that truck at the time he possessed the XDM handgun. I also know that in Kentucky, receiving or retaining possession of a stolen firearm is a Class D felony pursuant to Statute 514.110. Further, DAVIS then traveled to Atlanta where, as further described below, he met with Adult Male 1 and provided him with the Challenger containing the methamphetamine. DAVIS’ location data is then consistent with

DAVIS traveling in proximity with Adult Male 1 as he drove the Challenger containing the methamphetamine intended for distribution to Co-Actor 1 in Wisconsin.

11. I have reviewed the text message conversation between Adult Male 1 and Co-Actor 1 after I obtained a federal search warrant for Co-Actor 1's iCloud records. Those records showed that on April 17, 2022, Co-Actor 1 and Adult Male 1 had the following communications: (1) Adult Male 1: "You still need me?" (2) Co-Actor 1: "if you can" (3) Adult Male 1: "you need me to drive down there?" (4) Co-Actor 1: "Drive up" and "Alaska air 4E6UQB from midway flight is at 6:45 be there at 5." On April 18, 2022, Co-Actor 1 and Adult Male 1 had further conversation including Adult Male 1 advising Co-Actor 1 he needed an "uber" ride to the airport and later that morning texting Co-Actor 1 that he "made it." That afternoon, Adult Male 1 asked Co-Actor 1 "where I'm taking the car to?" Co-Actor 1 responded "my crib." Adult Male 1 then asked Co-Actor 1 "Can I bring it after work tomorrow." Co-Actor 1 responded "nah I got shit in there." Adult Male 1 then replied "Ite I'm catching a Uber back to the city." I know that Co-Actor 1 resides in Pleasant Prairie, State and Eastern District of Wisconsin, and had the Challenger not been stopped, the methamphetamine would have been delivered to Co-Actor 1 at that location.

12. As part of my investigation, I also spoke with a confidential informant (CI-1) who I believe is truthful and reliable because the information provided has in part been corroborated. CI-1 is providing this information with the intention of receiving cooperation credit on uncharged criminal matters being investigated within the Eastern District of Wisconsin and elsewhere. CI-1 advised that CI-1 knows that Lashawn DAVIS met with Adult Male 1 in Atlanta, Georgia and provided Adult Male 1 with the above-described Challenger that contained methamphetamine later seized by law enforcement in Indiana. DAVIS drove a truck and followed Adult Male 1 from

Atlanta to Indiana when the Challenger was stopped by law enforcement. DAVIS continued past the traffic stop and continued to Wisconsin. CI-1 stated that the methamphetamine was placed into the Challenger prior to Adult Male 1 traveling to the intended destination of Pleasant Prairie, State and Eastern District of Wisconsin.

13. Based on the forgoing, I believe that DAVIS assisted Co-Actor 1 in providing Adult Male 1 with the Challenger containing the methamphetamine intended for distribution to Co-Actor 1 in Wisconsin. Based on my investigation, I know that Co-Actor 1 and DAVIS have known each other since at least June 2021 based on phone toll records for DAVIS and Co-Actor 1. I also know that DAVIS and Co-Actor 1 combined to steal cars in March 2022 and thereafter from locations including Mitchell Airport, Milwaukee.

B. *Fentanyl Offense*

14. Based on my review of Wisconsin State Trooper reports, I further know that on August 27, 2023, at approximately 11:13 a.m., Troopers Chambers and Digre attempted to stop the driver of a 2014 Chevrolet Impala car operating in the La Crosse, State and Western District of Wisconsin area, later found to be driven by DAVIS. Trooper Chambers reports the driver of the vehicle was speeding and after Trooper Digre activated his squad lights, DAVIS increased the speed of his car and eventually exited the car running into the woods. As he fled the Troopers, DAVIS threw a white baggie over the interstate fence before being arrested. Troopers arrested DAVIS and recovered the white bag, and the substance was found to weigh 240 grams and determined to be a mixture and substance of fentanyl by the DEA-North Central Laboratory.

15. Troopers conducted a further search of the Impala and located a 9mm bullet and marijuana nugget in the center arm rest. In the trunk of the car, troopers recovered two freezer bags

of an unknown material as well as a duffle bag that contained multiple digital scales, rolls of freezer wrapped packaging, multiple NutriBullet blenders, and Acetone. I know that these items are used in the production and sale of controlled substances. Further, I know that DAVIS has driven this car on multiple occasions prior to his arrest. That Impala is registered to Executive Rent a Car, Racine, WI, which I know to be an LLC associated with Co-Actor 1 and his girlfriend. After being advised of his *Miranda* rights, DAVIS waived those rights and denied knowing anything about the items in the car. DAVIS stated he was traveling to La Crosse to see his Uncle James, although he could not provide an address for “James” and continued to provide vague answers.

16. Law enforcement searched, pursuant to a search warrant, two cell phones possessed by DAVIS and seized at the time of his arrest. I believe these are DAVIS’ phones as photographs of him are contained within as well as text message exchanges with family members or girlfriends consistent with them being DAVIS’s phones. Upon reviewing the phones, I observed that DAVIS exchanged multiple text messages with others involving the sale and purchase of controlled substances. On August 26, 2023, DAVIS received a money payment for the previous sale of a controlled substance. DAVIS also negotiated and brokered an anticipated multiple pound methamphetamine purchase from Co-Actor 2 on behalf of Co-Actor 1. In exchange for the methamphetamine, Co-Actor 1 was to supply money and possibly a truck. It appears that transaction did not occur due to DAVIS’ arrest.

17. DAVIS’ cell phones also contained evidence of his agreement with Co-Actor 1 and others, concerning the fentanyl he discarded while running from State Patrol. The phone text messages make clear that DAVIS traveled with the fentanyl in his car that day under the counsel and inducement of Co-Actor 1 having departed from his residence in Milwaukee for the purpose

of delivering it to an associate of Co-Actor 1 in the La Crosse area. GPS and location information confirm that DAVIS departed his Milwaukee residence prior to 9:00 a.m. and was not believed to have stopped anywhere prior to his arrest. During the travel, DAVIS was in regular cell phone contact with Co-Actor 1. At one point, Co-Actor 1 sent a screen shot of a Farm and Fleet store in Winona, MN and asked, “see how far.” DAVIS advised Co-Actor 1 that he did not see the intended address but shortly thereafter, said he was 80 minutes from that location. Co-Actor 1 advised DAVIS that “he running late behind you 1 hr 27.” I believe these messages are consistent with Co-Actor 1 coordinating a meeting between DAVIS and the intended recipient of the fentanyl.

18. I believe that text messages from the day prior to DAVIS’ arrest suggest Co-Actor 1 and DAVIS met in Milwaukee. Following that meeting, DAVIS sent a text message to Adult Female 1 that he had to be awake the following day “to drop sum off 3 hrs away.” Further, I know while traveling to La Crosse, DAVIS sent a text message to Adult Female 2 that he was driving “3 hrs from my house deeper in Wisconsin.” I know that the trip from Milwaukee to La Crosse is approximately three hours. Thus, I believe on the day before DAVIS’ travel, he met with Co-Actor 1, obtained the fentanyl, and traveled with it the next day on behalf of Co-Actor 1 for purposes of delivering it to a customer of Co-Actor 1.

19. I am also aware, based on a review of Co-Actor 1’s cell phone authorized pursuant to a federal search warrant, that Co-Actor 1 communicated on August 27, 2023, with the user of phone number XXX-XXX-5544, who I believe is a family member of Co-Actor 1 as he is referred to as “pops.” On that day, “Pops” sent an address to Co-Actor 1 detailing a Fleet Farm Store in Winona, MN. Co-Actor 1 then relayed this to DAVIS as the meeting point. Co-Actor 1 and “Pops” continued to discuss logistics of the meet including estimated time of arrival and the type of car

DAVIS was in. Co-Actor 1 eventually texted “pops” that “They got him,” in what I believe is a reference to the Wisconsin State Patrol arresting DAVIS.

20. Because this affidavit is offered for the limited purpose of supporting the criminal complaint and arrest warrant for Lashawn DAVIS, I have not set forth every fact known to me regarding this incident. Rather, I have included only those facts which I believe establish probable cause.